

## REMARKS

In a final office action mailed on July 11, 2006, each of claims 1, 5, 7 - 10, 14, 16 - 19, 21 and 22 was rejected under §102(a) as being anticipated by EP 905879 (to Herzinger et al.), claim 21 was further rejected under 35 U.S.C. §103(a) over Herzinger et al. in view of U.S. Patent No. 6,208,975 (to Damgaard et al.); and claims 2, 3, 11, 12 and 20 are rejected under §103(a) over Herzinger et al. in view of U.S. Patent No. 5,130,670 (to Jaffe).

The applicant wishes to thank Examiner Kim for his time and attention to this case in conducting the telephone interview on August 22, 2006. During the telephone interview, the examiner expressed an interest in learning background information regarding how one of ordinary skill in the art would know how to provide the switching functionality for a dual band system at the time of the invention.

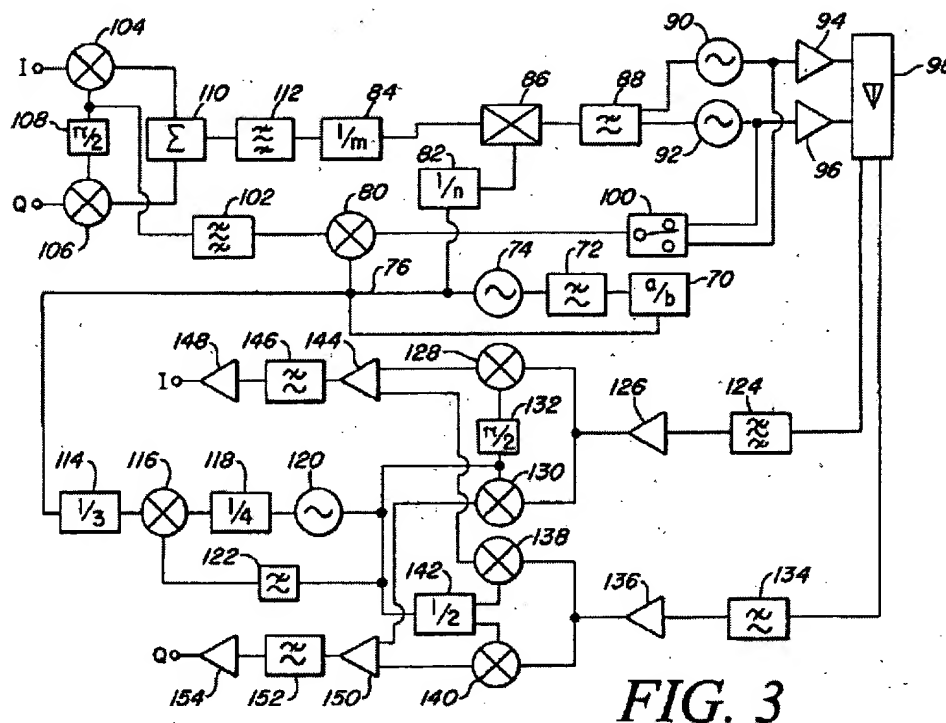
Responsive to this request, the applicant submits the enclosed Declaration of Jonathan Strange, an integrated circuit design engineer with over ten years experience in circuit design. Mr. Strange states, in part, that by 1999 (when the present application was filed), many techniques existed for switching between modes of operation in a dual band radio frequency transmitter system including, for example, the use of PIN diodes, MESFET transistors and cascade current switches. Mr. Strange explains that the connection paths would be hard wired, and the appropriate signal would be chosen by applying a switching voltage or current.

The present application, in fact, states on page 9, lines 7 - 9 that:

The feedback path includes a matching or switching device that alternately receives input signals from the output of one of the other of the VCOs 90 or 92. The output of the device 100 is presented as an input to the downconverter mixer 80.

Specification, page 9, lines 7 - 9.

This portion of the text references Figure 3, which as amended on November 11, 2003 shows the following circuit:



Application, Figure 3. The amendment to Figure 3 was entered in the office action mailed on February 25, 2004. A complete copy of the drawings is also enclosed for the examiner's convenience.

The device 100, therefore, is a switching device, and those skilled in the art would appreciate that this may take the form of a variety of implementations for providing such switching between operating modes as stated in the accompanying Declaration of Jon Strange.

Following the telephone interview on August 22, 2006, claim 1 is therefore submitted to be in condition for allowance. Each of claims 1, 2, 5 and 7 - 9 depend directly or indirectly from claim 1 and are also submitted to be in condition for allowance.

Independent claim 10 is amended herein to state that the oscillator means produces an

output transmission signal responsive to the phase comparator signal *using a first voltage controlled oscillator* to provide the output transmission signal having a frequency  $F_{OUT}$  wherein  $F_{LO} = F_{OUT} / (1 + m/n)$  in said first mode of operation and *using a second voltage controlled oscillator* to provide said output transmission signal having the frequency  $F_{OUT}$  wherein  $F_{LO} = F_{OUT} / (1 - m/n)$  in said second mode of operation. Claim 10 further requires that the feedback circuitry includes a *switching device* for switching a feedback path between the first and second voltage controlled oscillators.

Claim 10, therefore, is submitted to be in condition for allowance. Each of claims 11, 12, 14 and 16 - 18 depends directly or indirectly from claim 10 and further limits the subject matter thereof. Each of claims 10 - 12, 14 and 16 - 18 is therefore submitted to be in condition for allowance.

Independent claim 19 is amended to state that the feedback circuitry includes a switching device for switching between the first mode of operation and the second mode of operation. Claim 19, therefore, is also submitted to be in condition for allowance. Claim 20 depends from claim 19 and is also submitted to be in condition for allowance.

Each of claims 1 - 3, 5, 7 - 12, 14 and 16 - 20, therefore, is in condition for allowance. Favorable action consistent with the above is respectfully requested.

Respectfully submitted,



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